

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ZANIB ZULFIQAR,
Plaintiff,

Case No. 1:20-cv-63
McFarland, J.
Litkovitz, M.J.

vs.

CHAD F. WOLF, SECRETARY
OF UNITED STATES DEPARTMENT
OF HOMELAND SECURITY, et al.,
Defendants.

**REPORT AND
RECOMMENDATION**

On June 9, 2020, defendants Chad F. Wolf, Acting Secretary, Department of Homeland Security (DHS), and Kenneth T. Cuccinelli, Principal Deputy Director of the U.S. Citizenship and Immigration Services (USCIS), and Acting Deputy Secretary of Homeland Security Director of United States Citizenship and Immigration Services (USCIS) (collectively, USCIS defendants) filed a motion to dismiss. (Doc. 14). Plaintiff failed to respond to the motion within 21 days from the date of service set forth in the certificate of service attached to the motion, and on September 8, 2020, this Court issued an order to show cause why it should not dismiss the USCIS defendants. (Doc. 19). At a telephonic status conference held the next day, September 9, 2020, at which plaintiff was present, the Court reiterated plaintiff's obligation to timely respond to its show cause order. Plaintiff has failed to respond to the show cause order (Doc. 19).¹

IT IS THEREFORE RECOMMENDED that plaintiff's claims against the USCIS defendants be dismissed pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute. *See Jourdan*

¹ The Court notes that plaintiff has filed an amended complaint naming Michael R. Pompeo and the Department of State as defendants in this matter in accordance with the Court's September 14, 2020 Order. (Doc. 20). Therefore, this case remains pending against defendants Pompeo and the Department of State.

v. Jabe, 951 F.2d 108, 109-10 (6th Cir. 1991).

IT IS SO ORDERED.

Date: 10/13/2020


Karen L. Litkovitz
United States Magistrate Judge

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ZANIB ZULFIQAR,
Plaintiff,

Case No. 1:20-cv-63
McFarland, J.
Litkovitz, M.J.

vs.

CHAD F. WOLF, SECRETARY
OF UNITED STATES DEPARTMENT
OF HOMELAND SECURITY, et al.,
Defendants.

NOTICE

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).